

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANDREW R. PERRONG,

Plaintiff,

v.

CHASE DATA CORP., et al.,

Defendants.

CIVIL ACTION
NO. 22-2628

ORDER

AND NOW, this 26th day of January 2024, upon consideration of Chase Data and Dialed In's Motions to Dismiss (ECF Nos. 15 & 17), Ahmed Macklai's Motion to Dismiss (ECF No. 16), Andrew Perrong's Responses (ECF Nos. 18 & 19), and Macklai's and Perrong's additional filings (ECF Nos. 20 & 21), it is hereby **ORDERED**:

1. The Motion to Strike Macklai's Reply (ECF No. 21) is **GRANTED**.¹
2. The Motion to Dismiss all counts against Chase Data and Dialed In (ECF No. 15) is **DENIED** as **MOOT**.
3. The Amended Motion to Dismiss the claims against Chase Data (ECF No. 17) is **DENIED**.
4. The Amended Motion to Dismiss the claims against Dialed In (also ECF No. 17) is **GRANTED** and all counts against Dialed In are **DISMISSED without prejudice**.
5. The Motion to Dismiss the claims against Macklai (ECF No. 16) is **GRANTED** and all counts against Macklai are **DISMISSED with prejudice**.

¹ Macklai's reply brief was filed on December 15, 2023, more than two weeks after Perrong's November 30, 2023 response and well after the seven-day deadline for replies permitted under the Court's policies and procedures. See <https://www.paed.uscourts.gov/sites/paed/files/documents/procedures/pappol.pdf>.

6. Perrong may file an Amended Complaint, consistent with the Court's Order and Memorandum, **on or before February 16, 2024**.

BY THE COURT:

/s/ Gerald J. Pappert

GERALD J. PAPPERT, J.